

CHAPTER 83.

OF TRIAL AND APPEAL.

S. F. 71. AN ACT to Amend Section No. 2741 of the Code, in Relation to the Trial and Appeal of Ordinary Actions.

Be it enacted by the General Assembly of the State of Iowa:

Code, § 2741 repealed and substitute enacted.
On oral evidence.

SECTION 1. Section 2741 of the Code, is hereby repealed, and the following enacted in lieu thereof:

Appeal to supreme court.

SEC. 2741. All issues of fact in ordinary actions shall be tried upon oral evidence taken in open court, except that depositions may be used as now provided by law; and, upon appeal, no evidence shall go to the supreme court except such as may be necessary to explain any exception taken in the cause, and such court shall hear and try the case only on the legal errors so presented.

Publication.

SEC. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Iowa State Leader, newspapers published at Des Moines, Iowa.

Approved, March 22, 1880.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Iowa State Leader*, March 25, 1880.

J. A. T. HULL, *Secretary of State.*

CHAPTER 84.

MEETINGS OF SCHOOL DISTRICTS.

S. F. 85. AN ACT to Amend Chapter 9, Title XII, of the Code of 1873, by Addition Thereto, Providing for Calling, in Certain Contingencies, Meetings of School Districts.

Be it enacted by the General Assembly of the State of Iowa:

Code, title XII, Chap. 9, amended.

SEC. 1. That chapter 9 of title XII of the Code of 1873, be and the same is hereby amended by adding thereto, after section 1717, the following, to-wit:

When district deprived of school building by fire or otherwise, board shall call a meeting.

SEC. 1717½. When a school district, by fire or otherwise, has been deprived of a school building, and the board of directors of such district, by the use of the powers in them vested, are unable to provide for the continuance of the school therein;

then such board of directors shall call a meeting of such district. The manner of calling such meeting, and the powers of such meetings, shall be as follows:

1st. The board of directors shall cause to be posted in three public places in such district, at least ten days prior to the designated time of holding such meeting, written notices of such meeting, in which shall be stated the time and place of such meetings and the object or purpose for which same is called. Manner of calling such meeting.

2d. The powers of such meeting shall be the same as is prescribed in section 1717 hereof, except those powers which are set forth in paragraph two, after the word "applied" in the fourth line thereof, and in paragraph three after the word "district" in the fifth line thereof. Power of such meeting.

SEC. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the State Journal. Publication.

Approved, March 22, 1880.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *State Journal*, March 25, 1880.

J. A. T. HULL, *Secretary of State.*

CHAPTER 85.

CONSTRUCTION OF DRAINS THROUGH TWO OR MORE COUNTIES.

AN ACT to Amend Chapter 121, Acts of Seventeenth General Assembly, Section 1212, Code of 1873, Relating to Drains in Two or More Counties. S. F. 121.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That chapter 121 of the acts of the seventeenth general assembly be amended by adding thereto the following sections: Chap. 121 of 17th G. A. amended.

SEC. 2. That said commissioners shall appoint a competent engineer, who shall have charge of the construction of said ditch, drain, or change in said water-course. Commissioners shall appoint an engineer.

SEC. 3. That said commission shall continue until the drain or ditch is fully completed. They shall, in connection with the engineer in charge, proceed to make a survey of the proposed ditch, drain, or change of water-course, and return a plat and profile of the same to the county auditor of each county through which the same may pass. Such return shall set forth a full and detailed description of the proposed improvement, its availability, necessity, and probable cost, with a description of each tract of land owned by different persons through which the pro- Commission shall continue until drain is completed, and with engineer make survey and return plat to county auditor. Return shall show.